

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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**IN RE: PHILIPS RECALLED CPAP,  
BI-LEVEL PAP, AND MECHANICAL  
VENTILATOR PRODUCTS  
LITIGATION**

**This Document Relates to:**

Consolidated Second Amended Class  
Action Complaint for Medical Monitoring  
and Demand for Jury Trial (ECF No. 815)

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: Master Docket: No. 21-mc-1230-JFC  
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: MDL No. 3014  
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**PHILIPS RS NORTH AMERICA LLC’S MOTION FOR LEAVE TO FILE REPLY IN  
SUPPORT OF ITS OBJECTIONS TO SPECIAL DISCOVERY MASTER’S REPORT  
AND RECOMMENDATION AND PROPOSED ORDER RE: DISCOVERY OF  
MEDICAL MONITORING NAMED PLAINTIFFS’ MEDICAL HISTORIES AND  
PREVIOUS EXPOSURES TO HAZARDOUS SUBSTANCES**

Pursuant to Rule 4 of the Court’s Pretrial Procedure for Civil Cases, Philips RS North America LLC (“Philips RS”) respectfully requests that this Court grant it leave to file a succinct, two-page reply in support of its Objections to Special Discovery Master’s Report and Recommendation and Proposed Order re: Discovery of Medical Monitoring Plaintiffs’ Medical Histories and Previous Exposures to Hazardous Substances (“Objections”) (ECF No. 2376). Plaintiffs’ Response in Opposition to Philips RS’s Objections (“Response”) (ECF No. 2402) contains factual misrepresentations regarding Plaintiffs’ document productions to date. Philips RS raised these inaccuracies with Plaintiffs to provide them with a chance to correct the record or consent to this motion, but Plaintiffs declined—instead stating that “potential misapprehension can be resolved at oral argument on January 25.” *See* E. Avery Email to E. Attridge dated January 3, 2024 (without attachments) at 1, attached as Exhibit 1. Therefore, Philips RS respectfully requests

leave to file a short reply, a copy of which is attached as Exhibit 2, to correct the record following Plaintiffs' inaccuracies.

Dated: January 8, 2024

Respectfully Submitted,

/s/ Wendy West Feinstein

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 8, 2024, the foregoing document was electronically filed with the Clerk of the Court and served upon counsel of record through the Court's ECF system.

/s/ Wendy West Feinstein  
Wendy West Feinstein